

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	CASE NO. 8:21CR152
)	
Plaintiff,)	
)	
v.)	MOTION TO SUPPRESS AND
)	REQUEST FOR
JOSE RAMON CISNEROS)	EVIDENTIARY HEARING
PEREZ,)	AND ORAL ARGUMENT
)	
Defendant.)	

The Defendant, Jose Ramon Cisneros Perez, hereby moves to suppress a statement taken from him by law enforcement on December 9, 2020. In support of this motion the Defendant states as follows:

1. At the time the Defendant's statement was obtained, law enforcement was in the process of serving a search warrant at Mr. Perez's home. The search was executed by law enforcement officers dressed in tactical, military style gear with firearms displayed.

2. At no time during the questioning of Mr. Perez were *Miranda* warnings given to him. Mr. Perez contends that he was in custody, not free to leave and subject to custodial interrogation.

3. Mr. Perez further asserts that any statements obtained by law enforcement were not voluntary in violation of his rights under the Fifth Amendment to the Constitution of the United States.

4. A brief is submitted contemporaneously with this motion.

5. An evidentiary hearing and an oral argument is hereby requested.

WHEREFORE, Mr. Perez respectfully requests that any statements made by him during questioning by law enforcement be suppressed.

JOSE RAMON CISNEROS PEREZ, Defendant,

/s/ David R. Stickman

DAVID R. STICKMAN

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